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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/764,621
	Filing Date	January 26, 2004
	First Named Inventor	Rolando M. Puno et al.
	Art Unit	3733
	Examiner Name	David C. Comstock
Total Number of Pages in This Submission	Attorney Docket Number	MSDI-292/PC1008.00

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Firm Name	Krieg DeVault LLP		
Signature	<i>Douglas A. Collier</i>		
Printed name	Douglas A. Collier		
Date	June 17, 2008	Reg. No.	43,556

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re                      )  
application of: ) Before the Examiner:  
Rolando M. Puno et al. ) David C. Comstock  
Serial No. 10/764,621 ) Group Art Unit:  
Filed: January 26, 2004 ) 3733  
METHODS AND INSTRUMENTS FOR ) June 17, 2008  
INSERTING INTERVERTEBRAL GRAFTS ) Attorney Docket Ref.:  
AND DEVICES ) MSDI-292/PC1008.00

**SUBSTITUTE CLAIMS AND REMARKS FOR PREVIOUSLY SUBMITTED  
RESPONSE TO NON-FINAL OFFICE ACTION**

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Dear Sirs:

In response to the Notice of June 11, 2008, please find enclosed a copy of the January 31, 2008, response to the non-Final Office Action dated November 27, 2007. Also enclosed is a copy of the Supplemental IDS filed with the response. No fees or extensions of time are believed due for consideration of the enclosed. However, please provide any extensions of time which may be necessary, and charge any fees which may be due, or credit any overpayments, to Deposit Account No. 12-2424, but not including issue fees.

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June 17, 2008  
Date of Transmission

Douglas A. Collier  
Name of Registered Representative

*Douglas A. Collier*  
Signature

June 17, 2008  
Date of Signature

Respectfully submitted:

By:

*Douglas A. Collier*

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